



LEGISLATIVE FISCAL OFFICE
Fiscal Note

ACT 306

Fiscal Note On: SB 115 SLS 12RS 168

Bill Text Version: ENROLLED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 27, 2012	10:30 AM	Author: MILLS
Dept./Agy.: DHH		
Subject: Licensing		Analyst: Shawn Hotstream

HOSPITALS

EN NO IMPACT See Note

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Provides for immediate suspension of a license for a psychiatric hospital. (gov sig)

Proposed law provides that the secretary may issue an immediate suspension of a license for a freestanding inpatient psychiatric hospital if an investigation or survey determines that the applicant or licensee is in violation of the rules promulgated by the department, or in violation of any federal or state law or regulation, and the secretary determines that the violation pose an imminent or immediate threat to the health or safety of a client. Proposed law provides that the secretary shall give the licensee 5 days written notice, and the suspension shall then be effective 5 days after receipt of the notice. Proposed law further provides that the licensee shall have the right to file an appeal to be filed with the Office of the Secretary, and to file for injunctive relief from the immediate suspension of the license to be filed with the 19th Judicial District Court for the parish of East Baton Rouge. Upon license suspension, DHH shall assist with discharge planning. Proposed law further provides that in the event a license is revoked or renewal of a freestanding psych hospital is denied, then any owner may be prohibited from owning or managing another freestanding psych hospital in the state of Louisiana.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on DHH expenditures as a result of this measure. The suspension/revocation of a freestanding inpatient psychiatric hospital license may result in an appeal with the Office of the Secretary within DHH or result in court action on the part of the licensee. Any cost associated with appeals or litigation is anticipated to be defended with existing staff and resources through Department of Health and Hospital in-house legal counsel. In addition, any fiscal impact to the Nineteenth Judicial District Court of the parish of East Baton Rouge associated with injunctive relief review is anticipated to be negligible.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	H. Gordon Monk Legislative Fiscal Officer